


BT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MUNICIPAL TRUST AND SAVINGS BANK,)
)
Plaintiff,)
)
v.) No. 04 C 6725
)
MARIANNE CLARK, TRUSTEE ROCK CREEK)
TRUST, et al.,)
)
Defendants.)

MEMORANDUM

This Court's recent effort to serve notice on the elusive Rex Black of its May 10, 2005 memorandum order ("Order") included a transmittal to Frank Johnson ("Johnson") of Montgomery, Alabama, the person from whom Black's most recent mailing was received (see the attached photocopy of page 2 of Ex. 3 to the Order). Today's mail brought the attached undated letter from Johnson, together with the return of the Order and its Exhibits sent to him. Although Johnson appears to know more about Black than he professes (one of the things that he mailed to this Court was a copy of a fax communication that he had sent to Black), this Court has no better information regarding Black's present whereabouts than it did in the past. That does not however alter this Court's prior rulings that Black has submitted himself to this District Court's jurisdiction in this action.



Milton I. Shadur
Senior United States District Judge

Date: May 24, 2005

PROOF OF SERVICE BY MAIL		FOR COURT USE ONLY
<p>Frank Ray Johnson 1901 Kingsbury Drive Montgomery, Alabama 36106</p>		
<p>Milton I. Shadur, Senior United States District Judge United States District Court 219 S. Dearborn St. Chicago, Illinois 60604</p>	<p>Party Served</p>	
<p>Certified Mail Number # 7001 2510 0005 6533 1551</p>		<p>Number</p>

I the undersigned, state that I am over the age of eighteen years and not a party to the within action; that my business address is 1901 Kingsbury Drive, Montgomery, Alabama 36106, that on the date set out below. I served a copy of the attached:

Memorandum Order Dated March 14, 2005

served personally: Upon each party listed below by placing such a copy, enclosed in a sealed envelope with prepaid postage thereon, in the UNITED STATES mail at Montgomery, Alabama, addressed to each party listed below.

Milton I. Shadur, Senior United States District Judge
United States District Court
219 S. Dearborn St.
Chicago, Illinois 60604

I declare under penalty of perjury under the laws of the United State of America and the Laws of the state of Alabama, that the foregoing is true and correct.

Executed on May 2, 2005 at Montgomery, Alabama

By: Frank Ray Johnson
Frank Ray Johnson

EXHIBIT 3 page 2

Milton I. Shadur, Senior United States District Judge
United States District Court
219 S. Dearborn St
Chicago, Illinois 60604

Dear Sir,

This is to advise you that Mr. Rex Black does not receive mail at my home or business address. One of my office staff open this letter by mistake. I have review the contents and do not know anything about the subject matter contain. Please do not send any future correspondence to Mr. Black at my address..

The only knowledge of I have of Mr. Black is that he do^{ed} some repair work on my office building, and he ask me to mail two pieces off mail for him. I had no knowledge of the contents of his letters until now.

Respectfully,


Frank Ray Johnson